

AMENDED IN SENATE JANUARY 4, 2016

SENATE BILL

No. 66

Introduced by Senator Leyva

January 7, 2015

An act to ~~repeal and add Section 88540~~ *add Section 463 to the Business and Professions Code, and to amend Sections 69439 and 88650 of the Education Code, relating to career technical education, and declaring the urgency thereof, to take effect immediately.* *education.*

LEGISLATIVE COUNSEL'S DIGEST

SB 66, as amended, Leyva. ~~Career Technical Education Pathways Program.~~ *Career technical education.*

(1) Existing law establishes various career technical education programs, including regional occupational centers and programs, specialized secondary programs, partnership academies, and agricultural career technical education programs. Existing law provides for numerous boards, bureaus, commissions, or programs within the Department of Consumer Affairs that administer the licensing and regulation of various businesses and professions.

This bill would require the department to make available to the Office of the Chancellor of the California Community Colleges any licensure information that the department has in electronic format for its boards, bureaus, commissions, or programs to enable the office of the chancellor to measure employment outcomes of students who participate in career technical education programs offered by the California Community Colleges and recommend how these programs may be improved.

(2) The Cal Grant Program establishes Cal Grant C awards, which may be used only for occupational or technical training in a course of not less than 4 months, under the administration of the Student Aid

Commission. Existing law requires the maximum award amount and the total amount of funding for Cal Grant C awards to be determined each year in the annual Budget Act.

Unless adjusted in the annual Budget Act, this bill would set the maximum Cal Grant C award amount for tuition and fees at \$2,462 and for access costs at \$3,000.

(3) Existing law requires the Chancellor of the California Community Colleges to implement performance accountability outcome measures for the California Community Colleges Economic and Workforce Development Program.

This bill would urge the chancellor to align these measures with the performance accountability measures of the federal Workforce Innovation and Opportunity Act.

~~Existing law, until June 30, 2015, establishes the Career Technical Education Pathways Program, which requires the Chancellor of the California Community Colleges and the Superintendent of Public Instruction to assist economic and workforce regional development centers and consortia, community colleges, middle schools, high schools, and regional occupational centers and programs to improve linkages and career technical education pathways between high schools and community colleges, as specified.~~

~~This bill would extend the operation of the program until July 1, 2018.~~

~~This bill would declare that it is to take effect immediately as an urgency statute.~~

~~This bill would declare that it is to take effect immediately as an urgency statute.~~

~~Vote: $\frac{2}{3}$ -majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.~~

The people of the State of California do enact as follows:

- 1 *SECTION 1. The Legislature finds and declares all of the*
- 2 *following:*
- 3 *(a) The economic competitiveness of California is fueled by the*
- 4 *strength of regional economies and their skilled workers. Upward*
- 5 *social and economic mobility and increased opportunities keep*
- 6 *the state's economy diversified and vibrant.*
- 7 *(b) The pathway out of poverty for millions of California*
- 8 *residents is the attainment of industry-valued "middle skill*
- 9 *credentials," which is defined as a job requiring a certificate,*

1 *associate's degree, or third-party credential that is less advanced*
2 *than a bachelor's degree, but more advanced than a high school*
3 *diploma.*

4 *(c) Middle skill credentials serve as the gateway for a large*
5 *number of careers in the state's prioritized and emergent industry*
6 *sectors.*

7 *(d) The California Community Colleges Board of Governor's*
8 *Task Force on Workforce, Job Creation, and a Strong Economy,*
9 *also referred to as the Strong Workforce Task Force, identified*
10 *25 policy and strategy recommendations to help close the gap on*
11 *these middle skill credentials.*

12 *(e) The recommendations built upon the foundation established*
13 *by the California Community Colleges Economic and Workforce*
14 *Development Program in Part 52.5 (commencing with Section*
15 *88600) of Division 7 of Title 3 of the Education Code, the Office*
16 *of the Chancellor of the California Community Colleges Doing*
17 *What MATTERS for Jobs and the Economy framework, and the*
18 *federal Workforce Innovation and Opportunities Act (Public Law*
19 *113-128).*

20 *(f) With the enactment of the federal Workforce Innovation and*
21 *Opportunity Act (Public Law 113-128), California agencies*
22 *receiving workforce-related funds have adopted the following*
23 *common program strategies articulated by the California*
24 *Workforce Investment Board:*

25 *(1) Partnering in sector strategies to ensure training programs*
26 *are relevant to the economy.*

27 *(2) Building career pathways to increase access, flexibility, and*
28 *facilitated navigation of training and education programs.*

29 *(3) Utilizing "earn and learn" to increase simultaneous access*
30 *to income and training for those who cannot afford full-time*
31 *education.*

32 *(4) Organizing regionally to benefit from economies of scale,*
33 *recognizing gains when labor markets and industry are organized*
34 *regionally.*

35 *(5) Providing supportive services to remove barriers to program*
36 *completion and employment.*

37 *(6) Creating cross-system data capacity to ensure effective use*
38 *of resources.*

1 (7) *Integrating service delivery and braiding of resources to*
2 *optimize limited resources and make use of program specializations*
3 *to better serve individuals.*

4 SEC. 2. *Section 463 is added to the Business and Professions*
5 *Code, to read:*

6 463. (a) *The department shall make available to the Office of*
7 *the Chancellor of the California Community Colleges any licensure*
8 *information that the department has in electronic format for its*
9 *boards, bureaus, commissions, or programs to enable the office*
10 *of the chancellor to measure employment outcomes of students*
11 *who participate in career technical education programs offered*
12 *by the California Community Colleges and recommend how these*
13 *programs may be improved.*

14 (b) *The department may make available confidential information*
15 *pursuant to subdivision (a) only to the extent that making the*
16 *information available is in compliance with state and federal*
17 *privacy laws.*

18 SEC. 3. *Section 69439 of the Education Code is amended to*
19 *read:*

20 69439. (a) *For the purposes of this section, the following terms*
21 *have the following meanings:*

22 (1) *“Career pathway” has the same meaning as set forth in*
23 *Section 88620.*

24 (2) *“Economic security” has the same meaning as set forth in*
25 *Section 14005 of the Unemployment Insurance Code.*

26 (3) *“Industry cluster” has the same meaning as set forth in*
27 *Section 88620.*

28 (4) *“Long-term unemployed” means, with respect to an award*
29 *applicant, a person who has been unemployed for more than 26*
30 *weeks at the time of submission to the commission of his or her*
31 *application.*

32 (5) *“Occupational or technical training” means that phase of*
33 *education coming after the completion of a secondary school*
34 *program and leading toward recognized occupational goals*
35 *approved by the commission.*

36 (b) *A Cal Grant C award shall be utilized only for occupational*
37 *or technical training in a course of not less than four months. There*
38 *shall be the same number of Cal Grant C awards each year as were*
39 *made in the 2000–01 fiscal year. The ~~maximum award amount~~*
40 *and the total amount of funding shall be determined each year in*

1 the annual Budget ~~Act~~. *Act and the maximum award amount shall*
2 *be in accordance with the following:*

3 (1) *The maximum amount of an annual Cal Grant C award for*
4 *tuition and fees shall not exceed two thousand four hundred*
5 *sixty-two dollars (\$2,462).*

6 (2) *The maximum amount of an annual Cal Grant C award for*
7 *access costs shall not exceed three thousand dollars (\$3,000).*

8 (3) *The maximum amount of a Cal Grant C award pursuant to*
9 *paragraphs (1) and (2) may be adjusted in the annual Budget Act.*

10 (c) The commission may use criteria it deems appropriate in
11 selecting students to receive grants for occupational or technical
12 training and shall give special consideration to the social and
13 economic situations of the students applying for these grants, giving
14 additional weight to disadvantaged applicants, applicants who face
15 economic hardship, and applicants who face particular barriers to
16 employment. Criteria to be considered for these purposes shall
17 include, but are not limited to, all of the following:

18 (1) Family income and household size.

19 (2) Student's or the students' parent's household status,
20 including whether the student is a single parent or child of a single
21 parent.

22 (3) The employment status of the applicant and whether the
23 applicant is unemployed, giving greater weight to the long-term
24 unemployed.

25 (d) The Cal Grant C award recipients shall be eligible for
26 renewal of their grants until they have completed their occupational
27 or technical training in conformance with terms prescribed by the
28 commission. A determination by the commission for a subsequent
29 award year that the program under which a Cal Grant C award was
30 initially awarded is no longer deemed to receive priority shall not
31 affect an award recipient's renewal. In no case shall the grants
32 exceed two calendar years.

33 (e) Cal Grant C awards may be used for ~~institutional fees,~~
34 ~~charges, and other costs, including tuition, plus access costs, as~~
35 ~~defined in subdivision (b) of Section 69432.7, and training-related~~
36 ~~costs, such as special clothing, local transportation, required tools,~~
37 ~~tools and equipment, supplies, books, and living expenses. and~~
38 ~~institutional charges.~~ In determining the individual award amounts,
39 the commission shall take into account the financial means
40 available to the student to fund his or her course of study and costs

1 of attendance as well as other state and federal programs available
2 to the applicant.

3 (f) (1) To ensure alignment with the state's dynamic economic
4 needs, the commission, in consultation with appropriate state and
5 federal agencies, including the Economic and Workforce
6 Development Division of the Office of the Chancellor of the
7 California Community Colleges and the California Workforce
8 Investment Board, shall identify areas of occupational and technical
9 training for which students may utilize Cal Grant C awards. The
10 commission, to the extent feasible, shall also consult with
11 representatives of the state's leading competitive and emerging
12 industry clusters, workforce professionals, and career technical
13 educators, to determine which occupational training programs and
14 industry clusters should be prioritized.

15 (2) (A) Except as provided in subparagraph (B), the areas of
16 occupational and technical training developed pursuant to
17 paragraph (1) shall be regularly reviewed and updated at least
18 every five years, beginning in 2012.

19 (B) By January 1, 2016, the commission shall update the priority
20 areas of occupational and technical training.

21 (3) (A) The commission shall give priority in granting Cal
22 Grant C awards to students pursuing occupational or technical
23 training in areas that meet two of the following criteria pertaining
24 to job quality:

25 (i) High employer need or demand for the specific skills offered
26 in the program.

27 (ii) High employment growth in the occupational field or
28 industry cluster for which the student is being trained.

29 (iii) High employment salary and wage projections for workers
30 employed in the occupations for which they are being trained.

31 (iv) The occupation or training program is part of a
32 well-articulated career pathway to a job providing economic
33 security.

34 (B) To receive priority pursuant to subparagraph (A), at least
35 one of the criteria met shall be specified in clause (iii) or (iv) of
36 that subparagraph.

37 (g) The commission shall determine areas of occupational or
38 technical training that meet the criteria described in paragraph (3)
39 of subdivision (f) in consultation with the Employment
40 Development Department, the Economic and Workforce

1 Development Division of the Office of the Chancellor of the
2 California Community Colleges, and the California Workforce
3 Investment Board using projections available through the Labor
4 Market Information Data Library. The commission may supplement
5 the analyses of the Employment Development Department's Labor
6 Market Information Data Library with the labor market analyses
7 developed by the Economic and Workforce Development Division
8 of the Office of the Chancellor of the California Community
9 Colleges and the California Workforce Investment Board, as well
10 as the projections of occupational shortages and skills gap
11 developed by industry leaders. The commission shall publish, and
12 retain, on its Internet Web site a current list of the areas of
13 occupational or technical training that meet the criteria described
14 in paragraph (3) of subdivision (f), and update this list as necessary.

15 (h) Using the best available data, the commission shall examine
16 the graduation rates and job placement data, or salary data, of
17 eligible programs. Commencing with the 2014–15 academic year,
18 the commission shall give priority to Cal Grant C award applicants
19 seeking to enroll in programs that rate high in graduation rates and
20 job placement data, or salary data.

21 (i) (1) The commission shall consult with the Employment
22 Development Department, the Office of the Chancellor of the
23 California Community Colleges, the California Workforce
24 Investment Board, and the local workforce investment boards to
25 develop a plan to publicize the existence of the grant award
26 program to California's long-term unemployed to be used by those
27 consulting agencies when they come in contact with members of
28 the population who are likely to be experiencing long-term
29 unemployment. The outreach plan shall use existing administrative
30 and service delivery processes making use of existing points of
31 contact with the long-term unemployed. The local workforce
32 investment boards are required to participate only to the extent
33 that the outreach efforts are a part of their existing responsibilities
34 under the federal Workforce Investment Act of 1998 (Public Law
35 105-220).

36 (2) The commission shall consult with the Workforce Services
37 Branch of the Employment Development Department, the Office
38 of the Chancellor of the California Community Colleges, the
39 California Workforce Investment Board, and the local workforce
40 investment boards to develop a plan to make students receiving

awards aware of job search and placement services available through the Employment Development Department and the local workforce investment boards. Outreach shall use existing administrative and service delivery processes making use of existing points of contact with the students. The local workforce investment boards are required to participate only to the extent that the outreach efforts are a part of their existing responsibilities under the federal Workforce Investment Act of 1998 (Public Law 105-220).

(j) (1) Notwithstanding Section 10231.5 of the Government Code, the Legislative Analyst's Office shall submit a report to the Legislature on the outcomes of the Cal Grant C program on or before April 1, 2015, and on or before April 1 of each odd-numbered year thereafter. This report shall include, but not necessarily be limited to, information on all of the following:

(A) The age, gender, and segment of attendance for recipients in two prior award years.

(B) The occupational and technical training program categories prioritized.

(C) The number and percentage of students who received selection priority as defined in paragraph (3) of subdivision (f).

(D) The extent to which recipients in these award years were successfully placed in jobs that meet local, regional, or state workforce needs.

(2) For the report due on or before April 1, 2015, the Legislative Analyst's Office shall include data for two additional prior award years and shall compare the mix of occupational and technical training programs and institutions in which Cal Grant C award recipients enrolled before and after implementation of subdivision (f).

(3) A report to be submitted pursuant to this subdivision shall be submitted in compliance with Section 9795 of the Government Code.

SEC. 4. Section 88650 of the Education Code is amended to read:

88650. (a) The chancellor shall implement performance accountability outcome measures for the economic and workplace development program that provide the Governor, Legislature, and general public with information that quantifies employer and student outcomes for those participating in the program. ~~At a~~

1 ~~minimum, these performance measures shall include all of the~~
2 ~~following: These performance accountability measures should, to~~
3 ~~the extent possible, align with the performance accountability~~
4 ~~measures of the federal Workforce Innovation and Opportunity~~
5 ~~Act (Public Law 113-128).~~

6 ~~(1) Measures of skills or competency attainment by students~~
7 ~~and workers receiving educational or workforce training services~~
8 ~~under the program.~~

9 ~~(2) Measures relevant to program completion, including~~
10 ~~measures of course, certificate, degree, and program of study rates~~
11 ~~of completion for students or workers receiving education or~~
12 ~~workforce training services under the program.~~

13 ~~(3) Measures of employment placement or measures of~~
14 ~~educational progression, such as transfer readiness, for students~~
15 ~~or workers receiving education or workforce training services~~
16 ~~under the program, depending on whether the client is entering~~
17 ~~the labor market or continuing in education.~~

18 ~~(4) For those who have entered the labor market following~~
19 ~~completion of the education or workforce training services offered~~
20 ~~under the program, measures of income, including wage measures.~~

21 ~~(5) A quantitative assessment of impacts on businesses receiving~~
22 ~~services under the program. These may include data pertaining to~~
23 ~~profitability, labor productivity, workplace injuries, employer cost~~
24 ~~savings resulting from improved business processes, levels of~~
25 ~~customer satisfaction, employee retention rates, estimates of new~~
26 ~~revenue generated, sales, and market penetration, as well as~~
27 ~~information pertaining to new products or services developed.~~

28 ~~(b) The chancellor shall submit a report to the Governor and~~
29 ~~Legislature on or about March 1 of each year. This report shall~~
30 ~~include, but not necessarily be limited to, all both of the following:~~

31 ~~(1) Sufficient information to ensure the understanding of the~~
32 ~~magnitude of expenditures, by type of expenditure, including those~~
33 ~~specified in Section 88625, disaggregated by industry sector or~~
34 ~~cluster, region, and type of grant.~~

35 ~~(2) Information pertaining to the type of services provided to~~
36 ~~colleges and employers, and the number of businesses, students,~~
37 ~~and employees served, including information to identify the~~
38 ~~benchmarks and indicators used to demonstrate the results~~
39 ~~achieved.~~

40 ~~(3)~~

1 (2) Data summarizing outcome accountability performance
2 measures enumerated and required by this section.

3 ~~SECTION 1. Section 88540 of the Education Code is repealed.~~

4 ~~SEC. 2. Section 88540 is added to the Education Code, to read:~~

5 ~~88540. This part shall become inoperative on July 1, 2018,~~
6 ~~and, as of January 1, 2019, is repealed, unless a later enacted~~
7 ~~statute, that becomes operative on or before January 1, 2019,~~
8 ~~deletes or extends the dates on which it becomes inoperative and~~
9 ~~is repealed.~~

10 ~~SEC. 3. This act is an urgency statute necessary for the~~
11 ~~immediate preservation of the public peace, health, or safety within~~
12 ~~the meaning of Article IV of the Constitution and shall go into~~
13 ~~immediate effect. The facts constituting the necessity are:~~

14 ~~In order to continue these career technical education programs~~
15 ~~uninterrupted and with the same level of funding, it is necessary~~
16 ~~for this act to take effect immediately.~~

17 ~~This act is an urgency statute necessary for the immediate~~
18 ~~preservation of the public peace, health, or safety within the~~
19 ~~meaning of Article IV of the Constitution and shall go into~~
20 ~~immediate effect. The facts constituting the necessity are:~~